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April

**Fwd: This is the personal PROTEST of Lionel Trepanier of your tentative decision (DOGM) to approve a Canadian company's (U.S. Oil Sands or USOS) Significant Revision to the Notice of Intention to Commence Large Mining Operations (NOI) for the PR Spring Mine a proposed open pit tar sand mine on state land in eastern Utah including on lands within the Uncompahgre Ute Indian Reservation Boundaries.**

1 message

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**Dana Dean** <danadean@utah.gov>

Sun, May 17, 2015 at 10:08 AM

To: Paul Baker <paulbaker@utah.gov>

Fyi

Dana Dean, P.E.  
Associate Director - Mining  
Utah Division of Oil, Gas and Mining

[ogm.utah.gov](http://ogm.utah.gov)

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----- Forwarded message -----

From: "Lionel Trepanier" <[lioneltrepanier@gmail.com](mailto:lioneltrepanier@gmail.com)>

Date: May 16, 2015 10:47 PM

Subject: This is the personal PROTEST of Lionel Trepanier of your tentative decision (DOGM) to approve a Canadian company's (U.S. Oil Sands or USOS) Significant Revision to the Notice of Intention to Commence Large Mining Operations (NOI) for the PR Spring Mine a proposed open pit tar sand mine on state land in eastern Utah including on lands within the Uncompahgre Ute Indian Reservation Boundaries.

To: <[danadean@utah.gov](mailto:danadean@utah.gov)>, <[Btjohnson@utah.gov](mailto:Btjohnson@utah.gov)>

Cc:

Lionel P. Trepanier

2339 w 9435 s

South Jordan UT 84095

[LionelTrepanier@gmail.com](mailto:LionelTrepanier@gmail.com)

**VIA EMAIL and US MAIL**



May 16, 2015

TO: Ms. Dana Dean, Associate Director of Mining  
Division of Oil, Gas and Mining  
1594 West North Temple, Suite 1210, Box 145801  
Salt Lake City, Utah 84114-5801

[danadean@utah.gov](mailto:danadean@utah.gov)

Brad Johnson,  
Deputy Director; DEQ  
[Btjohnson@utah.gov](mailto:Btjohnson@utah.gov)

**Dear Ms. Dean,**

**PROTEST APPROVAL OF PR SPRING MINE AN OPEN PIT TAR SAND MINE**

**This is my PROTEST of the tentative decision of the UTAH Division of Oil Gas & Mining (DOGM) to approve a Canadian company's (U.S. Oil Sands or USOS) Significant Revision to the Notice of Intention to Commence Large Mining Operations (NOI) for the PR Spring Mine a proposed open pit tar sand mine on state land in eastern Utah including on lands within the Uncompahgre Ute Indian Reservation Boundaries.**

I am requesting you hold a hearing before the Division to address the issues described in this protest.

I am requesting DOGM issue a revised Notice of Tentative Decision to Approve as described below.

I protest your tentative approval of expanding tar sand strip mine operations that lack a construction permit, a water pollution discharge permit, a storm water pollution control



permit, or any other environmental control permits at all on the impacted Indian Lands in Utah. This is Environmental Racism and violates controlling federal and state law to which the state is subject including the Clean Water Act, the RCRA, the CAA, among others.

I protest the April 7, 2015 DOGM Notice Of Tentative Decision To Approve (DOGM Notice or 'the Notice') is deficient under the code because it failed to reasonably describe the NOI (mine plan) revision tentatively approved. Specifically:

- 1.) The Notice fails anywhere to identify mineral being mined;
- 2.) The Notice fails to disclose that the mine mine size will increase by a significant amount, 50%!
- 3.) The Notice fails to disclose that the tar pits size is approximately tripled under the revision!

I protest the DOGM Notice violates fundamental and procedural Due Process rights of this protester because the Notice provides disinformation or propaganda rather than disclose the above several significant and relevant facts necessary to a Constitutionally sufficient Notice. Specifically:

The DOGM Notice states the intent of the change is to “reduce the amount of overburden and interburden storage areas to better facilitate concurrent reclamation.” This Notice mis leads the public recipients of the Notice and would defeat the purposes of the Notice law.

I protest the DOGM Notice is deficient under the code and the Constitution because it hides the actual intent: – expanding the tar strip-mine by 50-300%.

I protest that the proposed new PR Spring Mine tailing storage plan will not protect the tar sand tailings from being washed into the deep canyons and eventually into the Green River after a cloudburst. The mine drainage design is to withstand a 10-year, 6-hour cloudburst, but the life of the mine and the waste mine tailings is long enough to encounter a 1,000-year storm event.

I also protest because the new proposed strip mine pit locations will likely pollute the local springs near the PR Spring Strip mine as well as the groundwater of the Uinta Basin and the surface water of the Green & Colorado Rivers and create water right conflicts with Native Americans downstream.

I also protest because the location & manner of disposal of the tar sand processing wastes violates RCRA.

I protest because it is also certain, although undisclosed, that this proposed expanded tar sand strip mining and processing operation will impair local and regional air quality & critical habitat for endangered species.

I protest your tentative approval because tar sands are one of the most destructive forms of energy in terms of greenhouse gases. Production of oil from tar sands bitumen produces three times the greenhouse gas pollution of conventional oil production. The climate impacts of



those greenhouse gases will further exacerbate Utah's water problems.

DOGM should issue a revised Notice of Tentative Decision to Approve with an accurate disclosure of the revision being considered and hold a hearing on the issues raised in this protest and deny the permit based upon the above-stated, anticipated impacts to water and air quality, and in the interest of environmental justice.

I look forward to your response at my contact given above.

\_\_\_\_/s/ Lionel Trepanier\_\_\_\_\_

Lionel P., Trepanier